IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5098 OF 2005

Arun Bhimrao Gaikwad ..Petitioner.

Vs.

State of Maharashtra
& Ors. ..Respondents.

Ms.Helen K. Mandle i/b.Mr.R.K.Mendadkar for the Petitioner.

Mr.R.D.Rane , G.P. for Respondent No.1.

Mr.G.S.Hegde for Respondent Nos.2 and 3.

CORAM : F.I.REBELLO AND
DR. D.Y. CHANDRACHUD,JJ.
DATED : 12TH SEPTEMBER, 2005

P.C.:

The Petitioner was appointed against the post reserved for scheduled tribe. By an order dated 9.6.2005 his caste claim has been rejected as belonging to the Koli Mahadeo (S.T.) It is the contention of the Petitioner that he belongs to Koli caste which has been notified as Special Backward Class. The Petitioner seeks to rely on the G.R. dated 15.6.1995 by which the State Government has sought to protect the service of those whose caste claim is belonging to Mahadeo Koli Community, if rejected, and, if they fall within Special Backward Class then in that event, their service should not be terminated.

2. Considering the above, the Petitioner to make representation to Respondent Nos.2 and 3 within a period of 15 days from today.

3. On making such a representation, the Respondents to take decision according to law within a period of three months from the date of receipt of such representation and, till then, the services of the Petitioner not to be terminated.

The Petition stands disposed of.